

MINUTES

UTAH FUNERAL SERVICE LICENSING BOARD MEETING

September 26, 2005

**Room 4B – 4th Floor – 9:00 A.M.
Heber Wells Building**

CONVENED: 9:00 A.M.

ADJOURNED: 11:15 A.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Craig McMillan
Joseph W. Thalman
Shaun S. Myers, Chairperson

Board Member Available Telephonically

Allyn Walker

Board Members Absent:

Reginal Ecker
Mark Walker
Vacant Position

Guests:

Mitchell Jones, AAG

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Read and approve the August 17, 2005 minutes.

This item was deferred to the November 3, 2005 Board meeting.

PENDING BUSINESS:

Update on Scheduling a Review of the Funeral Service Director & Apprentice Law & Rule Examination

Ms. Taxin reported that Thomson Prometric has been contacted regarding meeting with the Board to review the Examination. Thomson Prometric has not yet confirmed a date.

NEW BUSINESS:

APPOINTMENTS:

10:00 A.M.

Larry Turpen and Steve Parker, Proposed Supervisor, Review Stipulation and Order Requirements

Mr. Turpen and Mr. Parker met with the Board. Mr. Parker stated that he has read Mr. Turpens Stipulation and Order and will agree to supervise Mr. Turpen.

Board members and Division staff were introduced to Mr. Parker.

Mr. Myers conducted the interview.

The Board remarked that this meeting is to finalize the expectations and guidelines for Mr. Turpen's supervision. The Board reviewed the requirements in the Stipulation and Order with Mr. Turpen and Mr. Parker.

Ms. Taxin distributed and reviewed guidelines for the supervision. The Board and Ms. Taxin stated that this is a basic guideline and supervision is not limited to the following list:

Death Certificate:

- 1. Make sure a death certificate log exists.**
- 2. Make sure the death certificate log is filled out and dated properly.**
- 3. The death certificate log should include:**
 - a. The date the certificate is prepared,**
 - b. The date the certificate is taken to the certifying MD,**
 - c. The date the certificate is filed with the Board of Health,**
 - d. The date certified copies are given or sent to the family.**
- 4. Make sure the death certificate is filed with the Department of Health in a timely manner.**
- 5. Once the death certificate is reviewed and in place, submit a copy for the Division and the Board to review.**

Preneed:

- 1. Review preneed files from the past and present.**
- 2. Review files and contracts for accuracy and completeness.**
- 3. Review files for organization and divide into trust and insurance sections.**
- 4. Create a system for the annual preneed reports to be filed with the Division.**

Cremation:

- 1. Review the log for cremation services.**
- 2. Observe procedures for cremation (ie: machine set up, cleaning, monitoring process, preparation of the body, etc.).**

Traditional Burial:

- 1. Observe embalming procedures and methods.**
- 2. Verify that sanitation standards are being met with all procedures.**
- 3. Review the sterilization procedures.**

Business:

- 1. Inspect the funeral home facilities and premises on each visit.**
- 2. Create a daily log inspection sheet that identifies facility cleanliness and needs for the facility.**
- 3. Review the following operation procedures:**
 - a. Payroll taxes,**
 - b. Business taxes,**
 - c. City business license,**
 - d. Funeral service merchandise contracts to correspond with customer payments**
 - e. Verify that business accounting income corresponds with totals from funeral service merchandise contracts from families being served.**
 - f. Review bank deposits and receipts.**
- 4. Review customer service procedures and pamphlets given to the public.**
- 5. Verify that employed staff are licensed, if a license is required.**
- 6. Review the facility procedure manual.**
- 7. Review the laws and rules and verify they**

- are understood and are being complied with.
8. **Provide quarterly reports to the Division of all services rendered.**
 9. **Verify that all regulating agencies (ie: Utah vital statistics, federal trade commission, etc.) rules are being followed.**

The Board asked if Mr. Turpen is planning to work at the Spanish Valley Mortuary/Crematorium or another facility.

Mr. Turpen responded that he will be working only at Spanish Valley Mortuary/Crematorium when the facility becomes licensed.

Mr. Parker asked the Board how far back he should be reviewing Mr. Turpen's files.

The Board responded that all past and present files should be reviewed.

The Board expressed concern regarding the preneed plans that were sold and have not serviced correctly. Mr. Parker was requested to review all the preneed plans.

The Board expressed concern regarding the required annual report. It was recommended that Mr. Turpen follow regulations regarding the annual report.

The Board asked Mr. Turpen if he has a crematorium at the Spanish Valley facility or if he would have to contract out for cremations.

Mr. Turpen responded that the property has a crematorium and cremations will be performed on site.

Mr. Parker was given a supervision report form. Ms. Taxin requested the form be completed and submitted monthly for 6 months and then quarterly.

The Board stressed that Mr. Parker is to be the supervisor. The Board expectation is for Mr. Turpen to learn correct procedures.

Mr. Jones, AAG, reminded Mr. Turpen that supervision cannot begin until Spanish Valley Mortuary/Crematorium is licensed. Mr. Jones stated that there is currently an investigation regarding Spanish Valley Mortuary/Crematorium and the establishment license cannot be issued until that investigation has been completed.

The Board reminded Mr. Turpen and Mr. Parker of the ongoing continuing education (CE) requirements and for Mr. Parker to check on the CE to be sure it is completed and in appropriate areas.

Allyn Walker was contacted by telephone at 801-376-8587. Following a brief explanation to Allyn Walker, Mr. McMillan made a motion to approve Steve Parker as Mr. Turpen's supervisor. Mr. Thalman seconded the motion. The Board vote was unanimous.

Following a brief explanation to Allyn Walker, Mr. McMillan made a motion to lift the suspension on Mr. Turpen's Funeral Service Director license and put the license on probation. Mr. Thalman seconded the motion. The Board vote was unanimous.

Ms. Taxin stated that the monthly reports will not be due until one month after the establishment license has been issued, when the supervision at the facility begins.

DISCUSSION ITEMS:

Sheldon Hefner Application

Ms. Taxin requested the Board to review Mr. Hefner's application for reinstatement of his Funeral Service Director's license.

The Board determined Mr. Hefner's application is lacking the required component of documentation of lawful active practice for a minimum of 5 years in the last 10 year immediately preceding the application (58-9-306(c)). This component is the only method of determining Mr. Hefner is

competent and safe to practice.

Allyn Walker was contact by telephone. Following a brief explanation, Mr. McMillan made the following motion:

- 1. The Division issue Mr. Hefner a Funeral Service Apprentice License.**
- 2. The apprenticeship will be for a period of 6 months.**
- 3. Mr. Hefner will be required to work a minimum of 16 hours per week during the 6 months.**
- 4. Mr. Hefner will be required to complete a minimum of 10 emblamings.**
- 5. Kyle Kimmerle was approved as Mr. Hefner's supervisor.**
- 6. Mr. Kimmerle will be required to review and update Mr. Hefner on all current practices, procedures, laws and rules pertaining to the practice of funeral services.**
- 7. Mr. Kimmerle will be required to complete the supervision form when Mr. Hefner submits the completed application for Funeral Service Director license.**

Mr. Thalman seconded the motion. The Board vote was unanimous.

Legislative Issues

None at this time.

FYI

Mr. McMillan stated that Larkin's are trying to get the support of several funeral directors to make changes in the Utah Trust laws in order for the funeral service establishments to use a portion of the trust monies to assist in running the preneed programs.

The Board noted the information.

NEXT MEETING SCHEDULED FOR:

November 3, 2005

MEETING ADJOURNED AT:

11:15 P.M.

Date Approved

Chairperson, Utah Funeral Service Licensing Board

Date Approved

Bureau Manager, Division of Occupational &
Professional Licensing